



The Gates Corporation

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FAX COVER SHEET

Date:	2/25/2005	Time:	11:55 AM
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Number of pages including cover sheet: 3

**SERIAL NO.: 10/005,083
DOCKET NO.: 001-035A
FILED: DECEMBER 4, 2001
TITLE: SPINDLE SLEEVE WITH TRANSPONDER**

RESPONSE TO: NON-FINAL OFFICE ACTION MAILED NOVEMBER 18, 2004

**ATTACHMENTS INCLUDE: ARGUMENT AND PETITION FOR
EXTENSION OF TIME – 2 PAGES**

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DOCKET NO. 031-035A

I hereby certify that this correspondence is being filed by
 fax transmission to 703.872.9306,
 Commissioner for Patents, Alexandria, VA 22313 on February 25, 2005
 For: The Gates Corporation
 Signature Stephan Heller Date signed: February 25, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
 SCHWANDER, Frank)
 Serial No. 10/005,083)
 Filed: 12/4/2001)
 For: Spindle Sleeve with Transponder)
)
 Examiner: Kim, Ahshik
 Art Unit: 2876
)
 ARGUMENT and
 Petition for Extension of Time

Via Fax: 703.872.9306
 Commissioner for Patents
 Art Unit 2876
 Alexandria, VA 22313

Dear Examiner Kim:

This argument is responsive to the non-final office action mailed 11/18/04. The allowable subject matter, namely, claims 10-15 is appreciated by Applicant.

Applicant requests an extension of time in which to respond pursuant to 37 CFR § 1.136.

I. Argument.

1. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Rensel. (US 6,036,179).

As to claims 1 and 7, Applicant respectfully reasserts the arguments presented in the response dated August 16, 2004.

Claims 2-6 depend directly or ultimately from claim 1. Claims 8 and 9 depend directly or ultimately from claim 7.

2. Claims 16-20 are rejected under 35 USC 102(b) as being anticipated by Kulka et al. (US 5,483,827).

As to claim 16, Kulka teaches a transponder (10) in or on a vehicle tire (60). However, the transponder is taught as being integrally mounted in the tire, col. 7, lines 47-49. This appears to comprise placing transponder (10) within the tire plies prior to vulcanization, resulting in the

transponder being fixedly incorporated into the tire structure with no freedom of movement within the plies, particularly once the tire is vulcanized.

Kulka also teaches a transponder as being mounted to the inner liner of the tire using an elastomeric patch or membrane mounted over the transponder (10), col. 7, lines 53-59. However, this arrangement also results in the transponder being *fixedly* mounted to the tire, col. 7, line 58 (emphasis added).

Hence, Kulka does not teach nor reasonably suggest an elastomeric sleeve having a pocket for moveably containing an electronic data logging device as claimed.

Claims 17-20 depend directly or ultimately from claim 16.

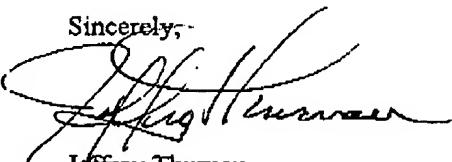
Applicant requests allowance of all claims.

II. Fees.

Any fees payable for this amendment and petition for extension of time may be deducted from deposit account 07-0475 in the name of the Gates Corporation.

Thank you for your attention to this case. If any questions arise, please call at the number below.

Sincerely,



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303-744-4743

Date: FEB. 25, 2005

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PATENT TRADEMARK OFFICE